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GOOGLE LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

MISAELEM AMBRIZ, JIMMY NIMMO,  
CHRISTOPHER BISSONNETTE, AHMAD  
MEHDIPOUR, EUGENE ERLIKH, JAMES  
FOX, PETER SAMISH, and CHRISTOPHER  
BARULICH, individually and on behalf of all  
other persons similarly situated,

### **Plaintiffs.**

v<sub>a</sub>

GOOGLE LLC.

**Defendant.**

Case No. 3:23-cv-05437-RFL

**STIPULATION AND [PROPOSED]  
ORDER MODIFYING BRIEFING  
SCHEDULE FOR GOOGLE LLC'S  
MOTION TO DISMISS PLAINTIFFS'  
CONSOLIDATED AMENDED  
COMPLAINT**

1 Pursuant to Civil Local Rule 6-2, Plaintiffs Misael Ambriz, Jimmy Nimmo, Christopher  
 2 Bissonnette, Ahmad Mehdipour, Eugene Erlikh, James Fox, Peter Samish, and Christopher  
 3 Barulich (“Plaintiffs”) and Defendant Google LLC (“Google”) (collectively, the “Parties”), by  
 4 and through their respective counsel, hereby stipulate and respectfully request that the Court  
 5 modify the opposition and reply deadlines in connection with Google’s Motion to Dismiss (the  
 6 “Motion”) Plaintiffs’ Consolidated Amended Class Action Complaint (the “CAC”). The Parties  
 7 declare in support of this request:

8 WHEREAS, Plaintiffs filed the CAC on October 7, 2024;

9 WHEREAS, pursuant to the Court’s Order Granting Joint Administrative Motion to (1)  
 10 Consider Whether Cases Should be Related and (2) Consolidate Cases issued on September 30,  
 11 2024, Google’s response to the CAC was due on November 12, 2024;

12 WHEREAS, Google filed the Motion on November 12, 2024;

13 WHEREAS, the Motion is set for hearing on February 4, 2025;

14 WHEREAS, pursuant to Civil Local Rules 7-3(a) and 7-3(c), respectively, Plaintiffs’  
 15 current deadline to file any opposition to the Motion is November 26, 2024, and Google’s current  
 16 deadline to file a reply to any opposition is December 3, 2024;

17 WHEREAS, the Parties stipulate that, subject to the Court’s approval, Plaintiffs’ deadline  
 18 to file any opposition to Motion would be extended to December 10, 2024, and Google’s deadline  
 19 to file a reply to any opposition would be extended to January 7, 2025;

20 WHEREAS, the Parties make this request in light of the upcoming holidays and the time  
 21 remaining until the hearing on February 4, 2025;

22 WHEREAS, the previous time modifications in this case, whether by stipulation or Court  
 23 order, are as follows:

- 24       • On November 21, 2023, Judge Corley granted the Parties’ stipulation to (1)  
 25 extend Google’s deadline to answer or otherwise respond to Plaintiffs’ initial  
 26 complaint in this action from November 28, 2023 to January 16, 2024 and (2) set  
 27 a briefing schedule such that Plaintiffs’ opposition to any motion was due on  
 28 February 24, 2024, and Google’s reply was due on March 7, 2024;

- 1           • On August 1, 2024, this Court granted the Parties' stipulation staying Google's
- 2           deadline to answer or otherwise respond to Plaintiffs' First Amended Complaint
- 3           in light of the anticipated transfer and consolidation of Plaintiff Barulich's
- 4           action—initially filed in the Central District of California—with this one, and the
- 5           subsequent need for a consolidated amended complaint; and
- 6           • On September 30, 2024, this Court issued an Order Granting Joint Administrative
- 7           Motion to (1) Consider Whether Cases Should be Related and (2) Consolidate
- 8           Cases, in which it set a deadline for Plaintiffs to file the CAC and ordered Google
- 9           to respond to the CAC within 35 days; and

10           WHEREAS, the Parties' proposed briefing schedule on Google's Motion will not affect  
 11          the schedule for this case, as the Parties do not seek to change the February 4, 2025 hearing date,  
 12          and the proposed schedule would comply with this Court's instruction that the final brief for any  
 13          motion should be filed at least 14 days prior to the hearing on the motion.

14           THEREFORE, pursuant to Civil Local Rule 6-2, the Parties, by and through their  
 15          respective counsel, stipulate as follows:

- 16           1. Plaintiffs' opposition to Google's Motion shall be filed by December 10, 2024;
- 17           and
- 18           2. Google's reply shall be filed by January 7, 2025.

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20           **IT IS SO STIPULATED AND AGREED.**

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1 Dated: November 20, 2024

COOLEY LLP

3  
4 By: /s/ Kristine Forderer  
Kristine Forderer

5 Attorneys for Defendant  
6 GOOGLE LLC

7 Dated: November 20, 2024

BURSOR & FISHER, P.A.

8  
9 By: /s/ Neal J. Deckant  
Neal J. Deckant

10 Attorneys for Plaintiffs

11  
12 **ATTESTATION**

13 Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that all signatories listed, and on  
14 whose behalf the filing is submitted, concur in the filing's content and have authorized the filing.

15 Dated: November 20, 2024

16  
17 By: /s/ Kristine Forderer  
Kristine Forderer

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2                   **[PROPOSED] ORDER**  
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5                   **PURSUANT TO STIPULATION, IT IS SO ORDERED.**  
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8                   Dated: November 21, 2024  
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11                  By:   
12                   UNITED STATES DISTRICT JUDGE  
13                   RITA F. LIN  
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